

AMENDED IN ASSEMBLY MARCH 14, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

No. 414

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Introduced by Assembly Member Carter

February 14, 2011

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An act to ~~amend Section 35181 of~~ *add Section 48913.5 to the Education Code, relating to local educational agencies pupils.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 414, as amended, Carter. ~~School district governing boards: authority.~~ *Pupils: homework assignments for suspended pupils.*

~~Existing law authorizes the governing board of each school district to convene hearings, make findings, and adopt and issue policy statements setting forth the responsibilities of the district's pupils regarding specified aspects of school life.~~

*(1) Existing law authorizes the teacher of any class from which a pupil is suspended to require the suspended pupil to complete any assignments and tests missed during the suspension.*

~~This bill would make technical, nonsubstantive changes to that provision~~ *additionally require, upon the request of a parent, legal guardian, or the affected pupil, a teacher to provide appropriate homework to a pupil in any of grades 4 to 8, inclusive, who has been suspended from school for 3 schooldays or less. Because this bill would impose new duties on school districts, it would constitute a state-mandated local program.*

*(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

1     *SECTION 1. It is the intent of the Legislature to ensure that*  
2     *pupils in grades 4 to 8, inclusive, who are suspended for three*  
3     *days or less do not fall behind in class assignments or homework.*  
4     *It is not the intent of the Legislature to require teachers to correct*  
5     *classroom assignments or homework missed while a pupil is*  
6     *suspended or to add any additional burden on teachers with respect*  
7     *to their workload.*

8     *SEC. 2. Section 48913.5 is added to the Education Code, to*  
9     *read:*

10    *48913.5. Upon the request of a parent, legal guardian, or the*  
11    *affected pupil, a teacher shall provide appropriate homework to*  
12    *a pupil in any of grades 4 to 8, inclusive, who has been suspended*  
13    *from school for three schooldays or less.*

14    *SEC. 3. If the Commission on State Mandates determines that*  
15    *this act contains costs mandated by the state, reimbursement to*  
16    *local agencies and school districts for those costs shall be made*  
17    *pursuant to Part 7 (commencing with Section 17500) of Division*  
18    *4 of Title 2 of the Government Code.*

19    ~~SECTION 1. Section 35181 of the Education Code is amended~~  
20    ~~to read:~~

21    ~~35181. The governing board of a school district may convene~~  
22    ~~hearings, make findings, and adopt and issue policy statements~~  
23    ~~setting forth the responsibilities of the pupils of that school district~~  
24    ~~regarding academic performance, attendance, in-school behavior,~~  
25    ~~and any other aspects of school life that the school district~~  
26    ~~governing board may deem relevant to this task.~~